

ARNOLD & PORTER LLP
ANGEL A. GARGANTA (SBN 163957)
MANAV KUMAR (SBN 266277)
One Embarcadero Center, 22nd Floor
San Francisco, CA 94111-3711
Telephone: +1 415.356.3000
Facsimile: +1 415.356.3099
E-Mail: angel.garganta@aporter.com
manav.kumar@aporter.com

EMILIA P. E. MORRIS (SBN 253681)
777 South Figueroa Street, 44th Floor
Los Angeles CA 90017-5844
Telephone: +1 213.243.4000
Facsimile: +1 213.243.4199
E-Mail: emilia.morris@aporter.com

Attorneys for Defendant
THE QUAKER OATS COMPANY

THE WESTON FIRM
GREGORY S. WESTON (SBN 239944)
888 Turquoise Street
San Diego, CA 92109
Telephone: (858) 488-1672
Facsimile: (480) 247-4553
Email: greg@westonfirm.com

LAW OFFICES OF RONALD A. MARRON
RONALD A MARRON (SBN 175650)
3636 4th Avenue, Suite 202
San Diego, CA 92103
Telephone: 619-696-9006
Fax: 619-564-6665
Email: ron.marron@gmail.com

JACK FITZGERALD (SBN 257370)
2811 Sykes Court
Santa Clara, CA 95051
Telephone: 408-459-0305
Email: jack@westonfirm.com

Attorneys for Plaintiffs
KELLY BRUNO and REBECCA YUMUL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

KELLY BRUNO and REBECCA YUMUL on
Behalf of Themselves and All Others Similarly
Situating,

Plaintiffs,

vs.

THE QUAKER OATS COMPANY,
Defendant.

Case No.: 4:10-cv-05538-DMR

**STIPULATION AND ORDER TO STAY
PENDING RULING ON MOTION TO
CONSOLIDATE**

1 Plaintiffs Kelly Bruno and Rebecca Yumul (“Plaintiffs”), and Defendant The Quaker Oats
2 Company (“Defendant”), through their respective counsel of record, hereby stipulate and agree as
3 follows:

4 WHEREAS, on December 9, 2010, in *Chacanaca and Guttman v. The Quaker Oats Co.*,
5 No. 5:10-cv-00502 RS, plaintiff Victor Guttman, plaintiff Sonya Yrene, and Plaintiffs in the
6 present action filed a Motion to Consolidate and Appoint Interim Class Counsel, seeking
7 consolidation of the following three actions: (1) *Robert Chacanaca and Victor Guttman v. The*
8 *Quaker Oats Company*, No. 5:10-cv-00502 RS (N.D. Cal., filed February 3, 2010)
9 (“*Chacanaca/Guttman Action*”); (2) *Sonya Yrene v. The Quaker Oats Company*, No. 5:10-cv-
10 05398 PSG (N.D. Cal., filed November 29, 2010); and (3) *Kelly Bruno and Rebecca Yumul v. The*
11 *Quaker Oats Company*, No. 4:10-cv-05538 DMR (N.D. Cal., filed Dec. 7, 2010);

12 WHEREAS, a hearing on the Motion to Consolidate is scheduled for January 13, 2011,
13 before the Honorable Richard Seeborg, presiding over the *Chacanaca/Guttman Action*;

14 WHEREAS, counsel for the Plaintiffs and Defendant have conferred regarding the most
15 efficient way to proceed;

16 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Plaintiffs and
17 Defendant, through their respective counsel and subject to the Court’s approval that:

18 1. All pending dates in this matter, including but not limited to the time to answer, all
19 discovery, and all dates set forth in the Order Setting Initial Case Management Conference and
20 ADR Deadlines (Dkt. #2), are stayed pending a ruling by the *Chacanaca/Guttman* Court on the
21 Motion to Consolidate;

22 2. If the Motion to Consolidate is denied, Quaker shall have 60 days from the denial of
23 the Motion to Consolidate to file a response to the Complaint, and the parties shall inform the Court
24 that a new Order Setting Initial Case Management Conference and ADR Deadlines should be issued
25 based on the Court’s availability;

26 3. If the Motion to Consolidate is granted, Plaintiffs and Defendant agree that all
27 discovery shall continue to be stayed pending a ruling by the *Chacanaca/Guttman* Court on
28 Quaker’s motion to dismiss the Consolidated Amended Complaint filed in *Chacanaca/Guttman*,

1 with the exception that, subject to the entry of an appropriate protective order, Quaker will produce
2 some additional documents that it has already collected in the *Chacanaca/Guttmann* case.

3 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

4 Dated: December 21, 2010

ARNOLD & PORTER LLP

5
6
7 By: /s/ Angel A. Garganta
Angel A. Garganta
Attorney for Defendant
The Quaker Oats Company

9
10 Dated: December 21, 2010

THE WESTON FIRM

11
12 By: /s/ Gregory S. Weston
Gregory S. Weston
Jack Fitzgerald
Attorneys for Plaintiffs Kelly Bruno and
Rebecca Yumul

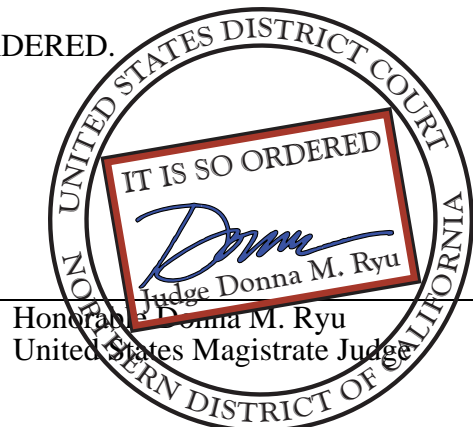
13
14
15
16 Dated: December 21, 2010

LAW OFFICES OF RONALD A. MARRON,
APLC

17
18
19
20 By: /s/ Ronald A. Marron
Ronald A. Marron
Attorney for Plaintiffs Kelly Bruno and
Rebecca Yumul

21
22 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

23 Dated: December 23, 2010



NOTICE OF ATTESTATION

I, Angel A. Garganta, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO STAY PENDING RULING ON MOTION TO CONSOLIDATE. In compliance with General Order 45, X.B., I hereby attest that Plaintiffs' counsel has concurred in this filing.

DATED: December 21, 2010

ARNOLD & PORTER LLP

By: /s/ Angel A. Garganta
Angel A. Garganta